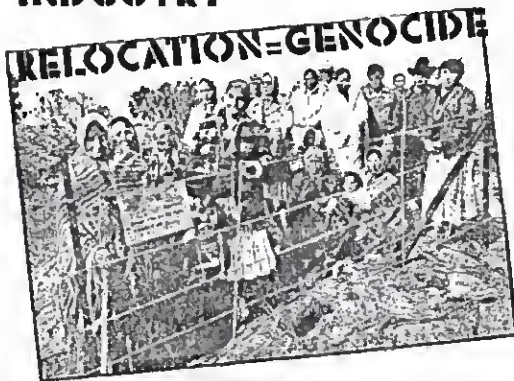


# BLACK MESA, ARIZONA

## WATER, LAND, RELOCATION AND THE PRISON INDUSTRY



In January, 1982, Leon Berger, Executive Director of the Navajo-Hopi Indian Relocation Commission resigned saying that,

"the forcible relocation of over 10,000 Navajo people is a tragedy of genocide and injustice that will be a blot on the conscience of this country for many generations."

Excerpt from "Millions of Dollars Earmarked for Human Misery", by Leon Berger, Navajo Relocation Review, a special supplement to Navajo Times, July 1982

## WATER=LIFE

### BLACK MESA

The Black Mesa region of northeastern Arizona is a land of sweeping beauty, deep colors, and thriving cultural roots. This area is the traditional land base and home to both the Navajo and Hopi peoples. The area is full of life, wild sagebrush and grass valleys spread between mesa covered in pinion and juniper trees. Among the range of wildlife are lizards, coyotes, deer, and eagles. Domestic sheep, horses and cattle dot the landscape. However, the earth in this area supports only so much of her creations. The living beings of this land must learn to live within the resource boundaries our Mother Earth has outlined.

**WITH EVERY BREATH WE TAKE**, 50 gallons of pristine ground water has just been pumped from the dry lands of northeastern Arizona. On Black Mesa, home to the Hopi and Navajo people, over 300 gallons of potential drinking water has, in the last 10 seconds just been mixed with crushed coal. In the time it took to read these sentences Peabody Coal Company pumps over a thousand gallons of the cleanest groundwater in North America, simply to transport coal.

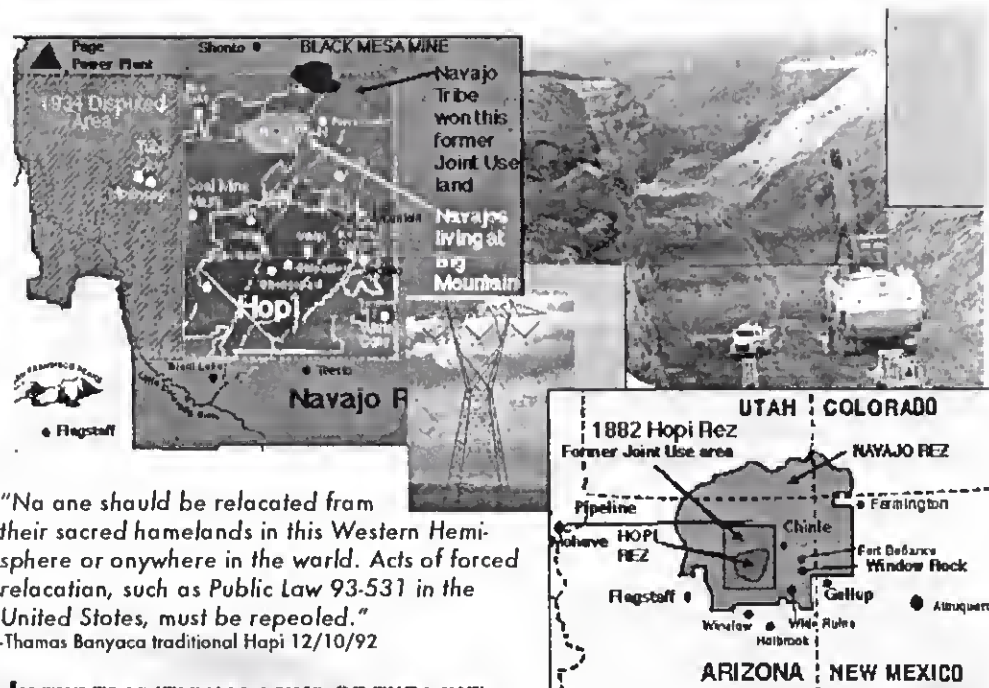
Instantly and permanently a sole drinking water source is polluted and taken away from a land and peoples that need it most. For over 30 years, atop Black Mesa, Arizona, Peabody Coal Company has been exploiting the pristine drinking water source of the Navajo and Hopi people.

(excerpts from blackmesawatercoalition.org)

**THE STRIP-MINING OPERATIONS OF PEABODY ENERGY (FORMERLY PEABODY COAL) IS CONTRIBUTING TO THE DISPLACEMENT OF DINE' (NAVAJO) ELDERS AND A POTENTIAL ENVIRONMENTAL CATASTROPHE IN NORTHERN ARIZONA.**

"Naseyowna and many of the 11,156 other residents of the (Hopi) reservation, along with a roughly equal number of neighboring Navajo, blame their dry springs and receding wells on Peabody Energy, which pumps 1.3 billion gal. of pristine water a year—enough to supply a community of 4,000 households—out of an ancient sandstone aquifer that lies beneath the Hopi and Navajo lands. Peabody claws coal out of land leased from the tribes at a site known as Black Mesa and pulverizes it into powder. The company then mixes the coal with water and pumps it through a pipeline 273 miles west to the Mohave Generating Station, which produces electricity for 1.5 million homes in nearby Las Vegas and Southern California."

- Time Magazine, November 5, 2001



"No one should be relocated from their sacred homelands in this Western Hemisphere or anywhere in the world. Acts of forced relocation, such as Public Law 93-531 in the United States, must be repealed."

-Thomas Banyaca traditional Hopi 12/10/92

**IN THE TRADITIONAL WAYS OF THE DINE' AND THE HOPI, THE EARTH DOES NOT BELONG TO YOU, YOU BELONG TO THE EARTH.**

In 1974, blinded by a million dollar propaganda campaign, Congress passed PL 93-531, "the relocation act" to settle an alleged dispute between the Hopi & Dine' (Navajo) Tribes, even though traditional people of both tribes said that there was no dispute between them. This law began the forced removal of over 14,000 Dine' (Navajo) people from their ancestral homelands on Black Mesa in Northern Arizona.

In the 1940's massive deposits of low-sulfur coal, oil, & uranium were discovered in Black Mesa. In 1951 Lawyer John Boyden was appointed by the Bureau of Indian Affairs as a land claims attorney for the Hopi Tribal Council (HTC), which had been formed in the 1930's by U.S. interior secretary Harold Ickes. In 1966 Boyden, who was also working for Peabody Coal Company, secured the rights to strip-mine on Black Mesa through a 35 year developing lease.

**UNDER BLACK MESA LIES NORTH AMERICA'S LARGEST COAL DEPOSIT. THE FENCE THAT WAS CREATED TO "RESOLVE" THE ALLEGED DISPUTE ALMOST COMPLETELY OUTLINES THE ESTIMATED COAL RESOURCE BOUNDARY, COINCIDENCE?**

The HTC has been in negotiations with Peabody Coal Company, which currently operates near the disputed area, to expand operations into areas where Dine' families still live, and where many Dine' families have been relocated from. The HTC is also planning on building coal fired power plants in the area.

In 1996 A settlement was created called the "Accommodation Agreement." This "agreement" is basically a 75 year land lease, where the signing families become tenants on their traditional homelands, subject to laws that require them to obtain permits to hold ceremonial gatherings, to gather wood, and to have visitors. They would have no representation in the Hopi government that would have jurisdiction over them. Today, many Dine' families remain, refusing to be relocated, resisting to accept "Agreements" that deny them their basic civil, Human and religious rights. They are resisting A fate that many relocated families have already fallen to: despair, homelessness, suicide and often, death.

**TODAY FAMILIES ARE STILL RESISTING RELOCATION.**



## PEABODY COAL COMPANY

Since 1965 Peabody Western Coal Company has been operating two strip mines on Black Mesa - the Kayenta and Black Mesa mines. Together, these mines make up one of the largest strip mining operations in the United States.

The Black Mesa mine supplies coal to the Mohave Generating Station (MGS) outside of Laughlin, Nevada. Electricity from this plant powers southern California, Las Vegas, and central Arizona.

As a part of the mining operations, groundwater is used to supply a transport process known as "slurry". On this slurry process, pristine groundwater is mixed with pulverized coal and sent through a pipeline 273 miles to the Mohave Generating Station. Today Peabody Coal pumps over 3,600 acre-feet (equivalent to 4,600 football fields, one foot deep) per year of pristine water from the Navajo Aquifer.

This is the only slurry pipeline in the U.S. It has been operating without a permit for the last 10 years, under an "administrative delay" allowed by the Department of the Interior.

The annual reports of the U.S. Geological Survey to the Office of Surface Mining show that the water table is dropping.

There are viable alternatives to transport coal, which have been known for at least 10 years, yet nothing has been done to stop the draw down of a sole source of drinking water.



## IS LEHMAN BROTHERS DESTROYING BLACK MESA?

According to filings with the Securities and Exchange Commission, Lehman currently owns 10,270,669 shares of Peabody (worth about \$322 million), making Lehman the largest investor in the Peabody Energy with about a quarter of the existing shares.

## LEHMAN BROTHERS

From the Lehman Brothers website <http://www.lehman.com/>:

"Lehman Brothers is a global investment bank serving the financial needs of corporations, institutions, governments and high net worth investors worldwide. Lehman Brothers actively participates in the global capital markets through a closely integrated network of offices anchored by a worldwide headquarters in New York and regional headquarters in London and Tokyo. Since Lehman Brothers was founded in 1850, it has built a global reputation for providing state-of-the-art research, distribution, trading and financing services.

FY 2001

Net revenues: \$6.74 billion.

Revenues from debt underwriting: \$893 million

Total amount of debt lead-managed: \$232 billion

Share of global debt market: 6.6%

Total higher ed debt lead-managed: \$11.27 billion

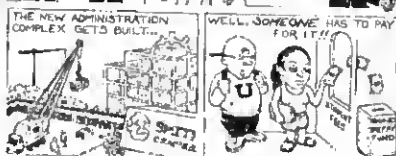
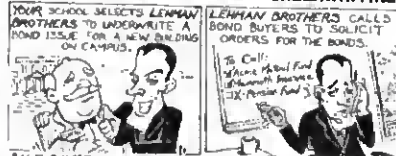
In October 2001, **NOT WITH OUR MONEY!**

([www.notwithourmoney.org](http://www.notwithourmoney.org)) launched a new campaign to get the private prison industry's #1 deal-maker, global investment bank Lehman Brothers, out of the business.

In 2001, Lehman Brothers completed transactions worth \$215 million for the third largest prison company, Cornell Correction—a \$173 million Enron-esque sale-leaseback deal that attracted the attention of Cornell's auditors and a \$42 million new stock issue.

## HOW LEHMAN BROTHERS GETS YOUR MONEY

WITH HIGHER EDUCATION BOND UNDERWRITING



In addition, Lehman helped save leading prison operator Corrections Corporation of America from bankruptcy by agreeing to waive requirements of CCA's credit agreement when the company was in default.

In 2002, Lehman pulled off the biggest private prison deal ever, the refinance of CCA's credit agreement through a new \$715 million syndicated loan and a \$250 million notes offering.

In 2003, Lehman Brothers lead a deal in which Wackenhut Corrections Corporation issues \$150 million in notes in an effort to raise capital. The deal also lends WCC the credibility that comes along with having your notes underwritten by the largest financial supporter of private prison companies in the U.S. - Lehman Brothers.

**WE NEED TO STOP WALL STREET FROM GIVING THE PRIVATE PRISON INDUSTRY A BLANK CHECK TO PROFITEER ON THE MISERY OF POOR COMMUNITIES AND THE TRAGEDY OF SEPTEMBER 11.**

Let Lehman know that their support for the private prison industry is unacceptable, and its continuation will put their other business—which includes taking money off of higher education and other municipal bonds—at risk!

As sacred lands like Black Mesa and indigenous cultures everywhere are being sacrificed to feed the growing demand for energy and other consumptive lifestyle choices, it is our responsibility to act on these injustices. This deliberate program of organized genocide **MUST STOP!!**

## THERE ARE SEVERAL WAYS THAT YOU CAN ACTIVELY SUPPORT THE STRUGGLE AT BLACK MESA:

- Direct, On-Land Support (long and short term): BMIS has a list of families requesting support to come to Black Mesa to stay for either for a few days or for a month or longer to herd sheep, and help with daily chores. BMIS requires supporters to read the cultural sensitivity / supporter packet found on-line at [http://www.blackmesais.org/cultural\\_sen.html](http://www.blackmesais.org/cultural_sen.html) or by writing BMIS - P.O. Box 23501, Flagstaff, Arizona 86002.

- Contact your elected and appointed public officials and tribal councils and urge them to repeal PL-93-531. Contact list of appropriate public officials (Profiles, email addresses, phone numbers & addresses to write & call ~provided on [www.blackmesais.org](http://www.blackmesais.org))

- Fundraise to bring human rights delegations to Black Mesa from all over the world so that they can write resolutions in their parliaments that no corporations from their countries exploit Black Mesa. (See the United Nations and European Union contacts.)

- Organize prayer vigils in support of the traditional Dine' and Hopi People.

- Learn more about and support the grassroots people at Black Mesa. Educate yourself about issues dealing with Black Mesa.

- Ask yourself the question of why do these issues spark your interest. Most of us are from or benefit from the dominant western society. Improve your everyday lifestyle choices. Lessen your water and electricity usage, how much gas you use, what you consume. You play a part in this. We are all from the Earth.

- **FIND OUT MORE ABOUT THE BATTLE TO SAVE BLACK MESA'S WATER:**  
[WWW.BLACKMESATRUST.ORG](http://WWW.BLACKMESATRUST.ORG) ~ [WWW.BLACKMESAWATERCOALITION.ORG](http://WWW.BLACKMESAWATERCOALITION.ORG)

- **FIND OUT MORE ABOUT THE STRUGGLE OF TRADITIONAL DINE PEOPLE TO STAY ON THE LAND:**  
[WWW.BLACKMESAIS.ORG](http://WWW.BLACKMESAIS.ORG)

**FIND OUT MORE ABOUT THE PRIVATE PRISON INDUSTRY AT:**  
[WWW.NOTWITHOURMONEY.ORG](http://WWW.NOTWITHOURMONEY.ORG)